

Red Tape Review Rule Report (Due: September 1, 2024)

Department Name:	Department of Administrative Services (DAS)	Date:	8/26/2024	Total Rule Count:	6
IAC #:	286 (aligned with IAC 11)	Chapter/ SubChapter/ Rule(s):	1	Iowa Code Section Authorizing Rule:	8A.104(5) 8A.203(3) as amended by 2024 Iowa Acts, SF 2385
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The intended benefit is to give the public, local libraries, and any branch of state government framework for organization of the State Library of Iowa.

Is the benefit being achieved? Please provide evidence.

The benefit has been achieved in that the State Library of Iowa relied on this chapter to provide a framework of the organization while it was part of the Department of Education before state government alignment.

What are the costs incurred by the public to comply with the rule?

Costs for information delivery for photocopy charges are the only costs incurred by the public.

What are the costs to the agency or any other agency to implement/enforce the rule?

Personnel costs would be present even without this task.

Do the costs justify the benefits achieved? Please explain.

The costs are justified as this is the course of business for the State Library of Iowa.

Are there less restrictive alternatives to accomplish the benefit? YES NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

These rules were specifically written to provide a basic framework for the State Library of Iowa.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

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Yes, this chapter is has outdated and unnecessary language because through SF514, the state government alignment bill of 2023, the State Library of Iowa was incorporated in the Department of Administrative Services (DAS).

RULES PROPOSED FOR REPEAL (list rule number[s]):

IAC 286—1.1
286—1.3
286—1.4
286—1.5
286—1.6
286—1.7

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

Rescind 286—1

Adopt the following new rules in IAC Chapter 11—1 and Chapter 11—111

Move 286—1.3(1) (general) to 11—1.4(7) *State Library of Iowa*. The state librarian, appointed by the director, administers the operations of the state library of Iowa. The state librarian also works with the commission of libraries. The state library of Iowa is located at 1112 East Grand Avenue, Des Moines, Iowa 50319. Information regarding the library can be found at statelibraryofiowa.gov.

Move 286—1.7 to 11—111.2(12) *Disposal of library materials*. Disposal of library materials under the control of the state library of Iowa shall be undertaken by the state librarian only as a means of strengthening and benefiting the mission of the state library. Materials may be deaccessioned from the collections of the state library if they are no longer deemed relevant and appropriate to the mission of the state library or if they have deteriorated beyond repair and usefulness. Revenue from the disposition of any books or other library materials under the control of the state library of Iowa shall be credited to the state library fund established by the treasurer of state and proceeds shall be used solely for the purchase of books and other information resources for the state library. Notwithstanding Iowa Code section 8.33, any balance in the fund on June 30 of any fiscal year shall not revert to the general fund of the state. This section implements Iowa Code 8A.204, Section 2, Paragraph c.

Rescind 286—Chapter 1

Adopt the following new rules **11—130 State Library of Iowa**

11—130.1 (8A) Definitions. The definitions used in Iowa Code chapters 8A and 17A will apply for terms used throughout this chapter. In addition, the following definitions will apply:¶

“Circulating materials” Circulating materials are items that may be loaned and used outside the library.¶

“Department” means the department of administrative services.¶

“Director” means the director of the department of administrative services.

“Deaccession” means permanent removal of materials from the state library’s collections.

“Holds” are patron requests to reserve items checked out to other patrons. Materials may be placed on hold through the library’s online catalog using a library card. When an item on hold becomes available, the patron placing the hold will be contacted and given five days to pick up the item(s) or make arrangements for receipt of items.

“Individual library card” means a card distributed by the state library that allows a patron to access the library’s collections, reference assistance, and online resources.

“Library materials” includes, but is not limited to, books, journals, documents, audio visuals, and software in any format.

“Proof of identity and state residence” means a government-issued form of identification with a photo and indication of Iowa residency, including but not limited to a driver’s license, a passport, a nonoperator’s identification card, or a military identification card; or, for minors, a school identification card.

“Resident” means a person who lives in Iowa or pays property taxes in Iowa.

“State employee library card” means a card distributed by the state library that allows a state employee to access the library’s collections, reference assistance, online resources, and interlibrary loan services.

“State librarian” means the chief operating officer of the state library.

“State library” means the library agency within the department of administrative services.

11—130.2(8A) Organization and Mission. The State Library of Iowa exists to improve library services in Iowa and deliver specialized information services to state government and Iowans. The State Librarian, appointed by the director, heads the State Library of Iowa. The state library consists of 3 units: the library support network (includes the LSTA Grant Program, public library accreditation, library staff endorsement, Enrich Iowa, continuing education and consulting); specialized library services (includes state documents, the state publications depository program, special collections, the state law library, and technical services); and the state data center. Additionally, the Commission of Libraries advises the department and the state librarian concerning library services.

11—130.2(1) Commission of libraries. The commission of libraries consists of nine members as defined in Iowa Code section 8A.203. The commission shall meet at a time and place specified by the chairperson. All meetings are open to the public and public notice of all meetings shall be posted in accordance with Iowa Code chapter 21. The current and archived minutes are accessible on the state library's website, statelibraryofiowa.gov.

11—130.2(2) State library advisory panel. The library services advisory panel consists of no fewer than 11 members as defined in Iowa Code section 8A.221. The advisory panel shall meet at a time and place specified by the chairperson. All meetings are open to the public and public notice of all meetings shall be posted in accordance with Iowa Code chapter 21.

11—130.3(8A) Operations. The state library provides information services to the three branches of government and the general public in accordance with Iowa Code section 8A.211. Services include information delivery and collection access. In person services are provided at the State Capitol Building in the State Law Library, located on the 2nd floor. Digital access to services is available through the State Library's website at statelibraryofiowa.gov.

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11—130.3(1) Information delivery. Library staff, in conjunction with the patron needs, will determine the best method to process the materials for delivery. Processing fees may be applicable and will be posted on the State Library's website at statelibraryofiowa.gov.

11—130.3(2) Collection access. The state library's collections are housed in the Ola Babcock Miller State Office Building, 1112 East Grand Avenue, Des Moines, and in the State Capitol Building. Primary research and study areas of the library's two locations are accessible to the disabled; however, upper tiers are generally closed to all public access. Staff will retrieve materials requested by library users or may authorize access on a case-by-case basis.

a. Library cards. A resident of Iowa may obtain an individual library card by providing proof of identity and state residence in person, by mail, or online. A state employee may obtain a state employee library card by providing proof of identity, state residence, and state employment in person, by mail, or online. Cards expire regularly but can be reactivated. Library privileges will be suspended or canceled when a patron's library card has expired.

b. Circulation of library materials. Circulating library materials are able to be checked out to library card holders and may be renewed. Patrons may renew materials in person, by contacting the State Library, or through the library's online catalog.

c. Fines and fees. Fines are not assessed for overdue materials. Lost, unreturned or damaged materials may incur replacement costs. Replacement copies will not be accepted. Library privileges will be suspended or canceled when a patron has outstanding debt to the library.

d. Library records confidential. Library records are confidential pursuant to Iowa Code section 22.7(13). The state librarian is the custodian of the library's records.

e. Collection policy of the library. The purpose of this policy is to define the intended coverage and clientele; establish collection management and selection policies; provide staff with the means to ensure consistency, responsiveness, and wise use of funds in collection building; assist in development of performance measures; establish priorities to guide budget allocations and cataloging and preservation decisions; and document the library's commitment to intellectual freedom. The collection policy shall be developed and made available on statelibraryofiowa.gov.

[Redacted]

**For rules being re-promulgated with changes, you may attach a document with suggested changes.*

METRICS

Total number of rules repealed:	6
Proposed word count reduction after repeal and/or re-promulgation	575
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	9

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

No.