

State Government  
Ashcraft, Chairperson  
Schwegels  
Junians

FILED JAN 31 1977

SENATE FILE 41

By CURTIS

(P. 1998)

Passed Senate, Date 2-25-77 (453) Passed House, Date 5-9-77  
Vote: Ayes 45 Nays 0 Vote: Ayes 82 Nays 1  
Approved June 3, 1977

### A BILL FOR

1 An Act relating to the management of state records.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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#### SENATE FILE 41

S-3073

- 1 Amend Senate File 41 as follows:
- 2 1. Page 2, line 25, by striking the words "three
- 3 years" and inserting in lieu thereof the words "three
- 4 years one year".
- 5 2. Page 2, line 28, by striking the words "three
- 6 yers" and inserting in lieu thereof the words "three
- 7 years one year".
- 8 3. Page 3, by striking lines 3 and 4, and insert-
- 9 ing in lieu thereof the words "subsection six (6),
- 10 Code 1977, is amended to read as follows:
- 11 6. ~~A member of the general assembly~~ The auditor
- 12 of state serving as ex officio nonvoting member
- 13 ~~appointed by the legislative council.~~

1 Section 1. Section three hundred three point twelve  
2 (303.12), Code 1977, is amended by striking the section and  
3 inserting in lieu thereof the following:

4 303.12 ARCHIVES. Archives means those documents, books,  
5 papers, photographs, sound recordings, or similar material  
6 produced or received pursuant to law in connection with of-  
7 ficial government business, which no longer have administra-  
8 tive, legal, or fiscal value to the office having present  
9 custody of them, and which have been appraised by the di-  
10 rector of the historical museum and archives as having suf-  
11 ficient historical, research, or informational value to warrant  
12 permanent preservation. The director of the division of  
13 historical museum and archives is the trustee and custodian  
14 of the archives of Iowa, except that archives do not include  
15 county or municipal archives unless they are voluntarily  
16 deposited with the director with the written consent of the  
17 director. The director shall prescribe rules for the  
18 systematic arrangement of archives as to the proper labeling  
19 to indicate the contents and order of filing and the archives  
20 must be so labeled before the archives may be transferred  
21 to the director's custody.

22 Sec. 2. Section three hundred three point thirteen  
23 (303.13), Code 1977, is amended to read as follows:

24 303.13 TRANSFER OF ARCHIVES. The several state, execu-  
25 tive, and administrative departments, officers or offices,  
26 councils, boards, bureaus, and commissions, may transfer and  
27 deliver to the state historical department archives as de-  
28 fined in section 303.12, and ~~take the director's receipt as~~  
29 prescribed in the records management manual. Before  
30 transferring archives, the office of present custody shall  
31 file with the director a classified list of the archives be-  
32 ing transferred made in such detail as the director shall  
33 prescribe. If the director, on receipt of the list, and after  
34 consultation with the chief executive of the office filing  
35 the classified list or with a representative designated by

1 the executive, shall find that, according to the records  
2 management manual, certain clasifications of the archives  
3 listed are not of sufficient historical, legal or  
4 administrative value to justify permanent preservation, the  
5 director shall ~~file a list with the state records commis-~~  
6 ~~sion with recommendations for their disposal~~ not accept the  
7 material for deposit in the state archives.

8 Sec. 3. Section three hundred three point fourteen  
9 (303.14), Code 1977, is amended to read as follows:

10 303.14 REMOVAL OF ORIGINAL. After any archives have been  
11 received by the director, they shall not be removed from his  
12 or her custody without his or her consent except in obedi-  
13 ence to a subpoena of a court of record or a written order  
14 of the state executive council.

15 ~~The director shall annually submit to the state histori-~~  
16 ~~cal board a list of papers and documents which have no fur-~~  
17 ~~ther value, and upon approval of the state records commis-~~  
18 ~~sion the items shall be destroyed.~~

19 The director shall not be required to preserve permanent-  
20 ly vouchers, claims, canceled or redeemed state warrants,  
21 or duplicate warrant registers, respectively, of the state  
22 comptroller and the treasurer of state but may, after micro-  
23 filming, destroy by burning or shredding any such warrants,  
24 having no historical value, that have been in his or her  
25 custody for a period of three years and likewise to destroy  
26 by burning or shredding any vouchers, claims and duplicate  
27 warrant registers which have been in his or her custody for  
28 a period of three yers. A properly authenticated reproduction  
29 of any such microfilmed record shall be admissible in evidence  
30 in any court in this state.

31 Sec. 4. Section three hundred four point two (304.2),  
32 subsection two (2), Code 1977, is amended to read as fol-  
33 lows:

34 2. "Agency" means any executive department, office,  
35 commission, board or other unit of state government except

1 as otherwise provided by law.

2 Sec. 5. Section three hundred four point three (304.3),  
3 subsection six (6), Code 1977, is amended by striking the  
4 subsection.

5 Sec. 6. Section three hundred four point four (304.4),  
6 Code 1977, is amended to read as follows:

7 304.4 EXPENSES. Members of the commission shall serve  
8 without compensation, ~~except the members of the general as-~~  
9 ~~sembly who shall receive a per diem of forty dollars~~ but may  
10 receive their actual expenses incurred in the performance  
11 of their duties.

12 Sec. 7. Section three hundred four point six (304.6),  
13 Code 1977, is amended to read as follows:

14 304.6 POWERS. The primary agency responsible for pro-  
15 viding administrative personnel and services for the commis-  
16 sion shall be the department of general services. The pur-  
17 chase, rental, or lease of equipment and supplies for record  
18 storage or preservation by agencies shall be subject to the  
19 approval of the commission except as otherwise provided by  
20 law. The commission shall review all record storage systems  
21 and installations of agencies subject to this chapter and  
22 recommend any changes necessary to assure maximum efficiency  
23 and economic use of equipment and procedures, including but  
24 not necessarily limited to, the type of equipment, methods  
25 and procedures for filing and retrieval of records and the  
26 location of equipment. The commission shall perform any act  
27 necessary and proper to carry out its duties.

28 Sec. 8. Section three hundred four point ten (304.10),  
29 Code 1977, is amended by striking the section and inserting  
30 in lieu thereof the following:

31 304.10 DIRECTOR OF HISTORICAL MUSEUM AND ARCHIVES--DU-  
32 TIES. All lists and schedules submitted to the commission  
33 shall be referred to the director of the historical museum  
34 and archives, who shall determine whether the records pro-  
35 posed for disposal have value to other agencies of the state

1 or have research or historical value. The director of the  
2 historical museum and archives shall submit the lists and  
3 schedules with his or her recommendations in writing to the  
4 commission and the final disposition of the records shall  
5 be according to the orders of the commission.

6 Sec. 9. Section three hundred four point eleven (304.11),  
7 Code 1977, is amended to read as follows:

8 304.11 TERMINATION OF STATE AGENCY. Upon the termina-  
9 tion of any state agency whose functions have not been trans-  
10 ferred to another agency, the records of the agency shall  
11 ~~be deposited in the state archives~~ disposed of according to  
12 the provisions of the state records management manual. The  
13 ~~commission shall determine which records are of sufficient~~  
14 ~~legal, historical, administrative, research or fiscal value~~  
15 ~~to warrant their continued preservation.~~ --Records that are  
16 ~~determined to be of insufficient value to warrant their~~  
17 ~~continued preservation shall be disposed of or destroyed.~~

18 Sec. 10. This Act is effective January 1, 1978.

19 EXPLANATION

20 1. The definition of "archives" in section 303.12 over-  
21 laps and conflicts with the definition of "record" in sec-  
22 tion 304.2. The current definition of archives implies that  
23 every manuscript, document, record and other material within  
24 an agency or office is of an archival nature, regardless  
25 of its relative importance or significance in the agency's  
26 fulfillment of its duties and responsibilities. To remedy  
27 this problem section 1 of this Act redefines "archives" to  
28 provide for an appraisal process, and provides that archival  
29 material shall be preserved permanently.

30 2. Section 2 of this Act provides that subsequent to the  
31 implementation of a revised definition of "archives" (as  
32 provided in section 1), the agency should not attempt to  
33 transfer nonpermanent records to the state archives, and the  
34 director of the historical museum and archives would not be  
35 required to go to the state records commission with rec-

1 ommendations for disposal. Disposal would be in accordance  
2 with the provisions of the state records management manual.

3 3. Because of the present inadequate definition of "ar-  
4 chives", nonarchival (i.e. nonpermanent) material has been  
5 deposited in the state archives. Presently chapter 303 re-  
6 quires the state historical board to review, and the state  
7 records commission to approve the destruction of records of  
8 no further value. However, presently chapter 304 requires  
9 the director of historical museum and archives to recommend  
10 destruction to the state records commission, and the state  
11 records commission to consult with the affected agency of-  
12 ficials, prior to the commission's approval to destroy records  
13 of no further value. Chapter 303 does not consider the  
14 agency's interests; chapter 304 does not consider the state  
15 historical boards' interests. This Act provides that through  
16 proper use of the state records management manual, the  
17 "problem" should be eliminated, i.e. nonpermanent records  
18 would no longer be deposited in the state archives and  
19 therefore no decisions of this type would be required. Thus  
20 sections 3 and 8 of this Act eliminate the review and  
21 recommendation procedures of chapters 303 and 304.

22 4. Section 4 of this Act codifies the present practice  
23 of the state records commission of handling only records of  
24 executive departments and agencies.

25 5. Sections 5 and 6 of this Act eliminate any possible  
26 violation of the separation of powers between the executive  
27 and legislative branches of state government by eliminating  
28 legislators from membership on the state records commission.

29 6. Section 7 of this Act permits the state records com-  
30 mission to review agency records storage systems, and to re-  
31 locate equipment within or between agencies to provide for  
32 maximum efficiency and utilization at the lowest possible  
33 costs to the state.

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LSB A3  
rn/rh/8A

S-3077

- 1 Amend Senate File 41 as follows:  
2 1. Page 2, line 11, by striking the word "his"  
3 and inserting in lieu thereof the word "his".  
4 2. Page 2, by striking line 12 and inserting in  
5 lieu thereof the following: "her custody without  
6 his her consent except in obedi-".  
7 3. Page 2, line 24, by striking the words "his  
8 or" and inserting in lieu thereof the word "his".  
9 4. Page 2, line 27, by striking the words "his  
10 or" and inserting in lieu thereof the word "his".

S-3077 FILED - *Adopted as amended by 3088*  
2/25(450) BY COMMITTEE ON STATE GOVERNMENT  
FEBRUARY 17, 1977 MINNETTE F. DODERER, CHAIRPERSON

S-3078

- 1 Amend the amendment to Senate File 41 (S-3073),  
2 page 1, line 12, by adding after the word "state"  
3 the words "or designee".

S-3078 FILED - *Withdrawn* BY COMMITTEE ON STATE GOVERNMENT  
FEBRUARY 17, 1977 2/25(452) MINNETTE F. DODERER, CHAIRPERSON

SENATE FILE 41

S-3088

- 1 Amend the amendment S-3077 to Senate File 41 as  
2 follows:  
3 1. Page 1, by striking lines 2 through 10 and  
4 inserting in lieu thereof the following:  
5 "1. Page 2, lines 11 and 12, by striking the  
6 words "his or her custody without his or her consent  
7 except in obedi-" and inserting in lieu thereof the  
8 words "his the director's custody without his consent  
9 except in obedi-".  
10 2. Page 2, line 24, by striking the words "his  
11 or her" and inserting in lieu thereof the words  
12 "his the director's".  
13 3. Page 2, line 27, by striking the words "his  
14 or her" and inserting in lieu thereof the words "his  
15 the director's"."

S-3088 FILED. *Adopted 2/25(450)* BY MINNETTE F. DODERER  
FEBRUARY 21, 1977 LOWELL L. JUNKINS

S-3098

- 1 Amend the amendment to Senate File 41 (S-3090),  
2 page 1, line 12, by adding after the word "state"  
3 the words "or designee".

S-3098 FILED & ADOPTED (p. 452) BY MINNETTE F. DODERER  
FEBRUARY 25, 1977

- 1 Amend Senate File 41 as follows:  
2 1. Page 2, line 25, by striking the words "three  
3 years" and inserting in lieu thereof the words "three  
4 years one year".  
5 2. Page 2, line 28, by striking the words "three  
6 yers" and inserting in lieu thereof the words "three  
7 years one year".  
8 3. Page 3, by striking lines 3 and 4, and inserting  
9 in lieu thereof the words "subsection six (6), Code  
10 1977, is amended to read as follows:  
11 6. ~~A member of the general assembly~~ The auditor  
12 of state serving as ex-officio nonvoting member  
13 ~~appointed by the legislative council.~~"

S-3090 FILED *Adopted as amended by* BY FORREST F. ASHCRAFT  
FEBRUARY 23, 1977 3098 2/25(452)

Senate File 41  
State Government  
Middleswart, chair  
Griffie  
Hansen

SENATE FILE 41

By CURTIS

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 25, 1977)

Passed Senate, Date \_\_\_\_\_ Passed House, Date 5-9-77 (p. 1998)

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes 82 Nays 1

Approved June 3, 1977

### A BILL FOR

1 An Act relating to the management of state records.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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\_\_\_\_\_ = New Language  
by the Senate

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2 (303.12), Code 1977, is amended by striking the section and  
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7 ficial government business, which no longer have administra-  
8 tive, legal, or fiscal value to the office having present  
9 custody of them, and which have been appraised by the di-  
10 rector of the historical museum and archives as having suf-  
11 ficient historical, research, or informational value to warrant  
12 permanent preservation. The director of the division of  
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34 consultation with the chief executive of the office filing  
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7 material for deposit in the state archives.

8 Sec. 3. Section three hundred three point fourteen  
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11 received by the director, they shall not be removed from his  
12 the director's custody without his consent except in obedi-  
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14 of the state executive council.

15 ~~The director shall annually submit to the state histori-~~  
16 ~~cal board a list of papers and documents which have no fur-~~  
17 ~~ther value, and upon approval of the state records commis-~~  
18 ~~sion the items shall be destroyed.~~

19 The director shall not be required to preserve permanent-  
20 ly vouchers, claims, canceled or redeemed state warrants,  
21 or duplicate warrant registers, respectively, of the state  
22 comptroller and the treasurer of state but may, after micro-  
23 filming, destroy by burning or shredding any such warrants,  
24 having no historical value, that have been in his the  
25 director's custody for a period of three years one year and  
26 likewise to destroy by burning or shredding any vouchers,  
27 claims and duplicate warrant registers which have been in  
28 his the director's custody for a period of three years one  
29 year. A properly authenticated reproduction of any such  
30 microfilmed record shall be admissible in evidence in any  
31 court in this state.

32 Sec. 4. Section three hundred four point two (304.2),  
33 subsection two (2), Code 1977, is amended to read as fol-  
34 lows:

35 2. "Agency" means any executive department, office,

1 commission, board or other unit of state government except  
2 as otherwise provided by law.

3 Sec. 5. Section three hundred four point three (304.3),  
4 subsection six (6), Code 1977, is amended to read as follows:

5 ~~6. A member of the general assembly~~ The auditor of state  
6 ~~or designee serving as ex-officio nonvoting member appointed~~  
7 ~~by the legislative council.~~

8 Sec. 6. Section three hundred four point four (304.4),  
9 Code 1977, is amended to read as follows:

10 304.4 EXPENSES. Members of the commission shall serve  
11 without compensation; ~~except the members of the general as-~~  
12 ~~sembly who shall receive a per diem of forty dollars~~ but may  
13 receive their actual expenses incurred in the performance  
14 of their duties.

15 Sec. 7. Section three hundred four point six (304.6),  
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17 304.6 POWERS. The primary agency responsible for pro-  
18 viding administrative personnel and services for the commis-  
19 sion shall be the department of general services. The pur-  
20 chase, rental, or lease of equipment and supplies for record  
21 storage or preservation by agencies shall be subject to the  
22 approval of the commission except as otherwise provided by  
23 law. The commission shall review all record storage systems  
24 and installations of agencies subject to this chapter and  
25 recommend any changes necessary to assure maximum efficiency  
26 and economic use of equipment and procedures, including but  
27 not necessarily limited to, the type of equipment, methods  
28 and procedures for filing and retrieval of records and the  
29 location of equipment. The commission shall perform any act  
30 necessary and proper to carry out its duties.

31 Sec. 8. Section three hundred four point ten (304.10),  
32 Code 1977, is amended by striking the section and inserting  
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34 304.10 DIRECTOR OF HISTORICAL MUSEUM AND ARCHIVES--DU-  
35 TIES. All lists and schedules submitted to the commission

1 shall be referred to the director of the historical museum  
2 and archives, who shall determine whether the records pro-  
3 posed for disposal have value to other agencies of the state  
4 or have research or historical value. The director of the  
5 historical museum and archives shall submit the lists and  
6 schedules with his or her recommendations in writing to the  
7 commission and the final disposition of the records shall  
8 be according to the orders of the commission.

9 Sec. 9. Section three hundred four point eleven (304.11),  
10 Code 1977, is amended to read as follows:

11 304.11 TERMINATION OF STATE AGENCY. Upon the termina-  
12 tion of any state agency whose functions have not been trans-  
13 ferred to another agency, the records of the agency shall  
14 ~~be deposited in the state archives~~ disposed of according to  
15 the provisions of the state records management manual. ~~The~~  
16 ~~commission shall determine which records are of sufficient~~  
17 ~~legal, historical, administrative, research or fiscal value~~  
18 ~~to warrant their continued preservation.--Records that are~~  
19 ~~determined to be of insufficient value to warrant their~~  
20 ~~continued preservation shall be disposed of or destroyed.~~

21 Sec. 10. This Act is effective January 1, 1978.

22 EXPLANATION

23 1. The definition of "archives" in section 303.12 over-  
24 laps and conflicts with the definition of "record" in sec-  
25 tion 304.2. The current definition of archives implies that  
26 every manuscript, document, record and other material within  
27 an agency or office is of an archival nature, regardless of  
28 its relative importance or significance in the agency's  
29 fulfillment of its duties and responsibilities. To remedy  
30 this problem section 1 of this Act redefines "archives" to  
31 provide for an appraisal process, and provides that archival  
32 material shall be preserved permanently.

33 2. Section 2 of this Act provides that subsequent to the  
34 implementation of a revised definition of "archives" (as  
35 provided in section 1), the agency should not attempt to

1 transfer nonpermanent records to the state archives, and the  
2 director of the historical museum and archives would not be  
3 required to go to the state records commission with rec-  
4 ommendations for disposal. Disposal would be in accordance  
5 with the provisions of the state records management manual.

6 3. Because of the present inadequate definition of "ar-  
7 chives", nonarchival (i.e. nonpermanent) material has been  
8 deposited in the state archives. Presently chapter 303 re-  
9 quires the state historical board to review, and the state  
10 records commission to approve the destruction of records of  
11 no further value. However, presently chapter 304 requires  
12 the director of historical museum and archives to recommend  
13 destruction to the state records commission, and the state  
14 records commission to consult with the affected agency of-  
15 ficials, prior to the commission's approval to destroy records  
16 of no further value. Chapter 303 does not consider the  
17 agency's interests; chapter 304 does not consider the state  
18 historical boards' interests. This Act provides that through  
19 proper use of the state records management manual, the  
20 "problem" should be eliminated, i.e. nonpermanent records  
21 would no longer be deposited in the state archives and  
22 therefore no decisions of this type would be required. Thus  
23 sections 3 and 8 of this Act eliminate the review and  
24 recommendation proceures of chapters 303 and 304.

25 4. Section 4 of this Act codifies the present practice  
26 of the state records commission of handling only records of  
27 executive departments and agencies.

28 5. Sections 5 and 6 of this Act eliminate any possible  
29 violation of the separation of powers between the executive  
30 and legislative branches of state government by eliminating  
31 legislators from membership on the state records commission.

32 6. Section 7 of this Act permits the state records com-  
33 mission to review agency records storage systems, and to re-  
34 locate equipment within or between agencies to provide for  
35 maximum efficiency and utilization at the lowest possible

- 1 costs to the state.
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SF 41  
slc/26C

## SENATE FILE 41

## AN ACT

## RELATING TO THE MANAGEMENT OF STATE RECORDS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section three hundred three point twelve (303.12), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

303.12 ARCHIVES. Archives means those documents, books, papers, photographs, sound recordings, or similar material produced or received pursuant to law in connection with official government business, which no longer have administrative, legal, or fiscal value to the office having present custody of them, and which have been appraised by the director of the historical museum and archives as having sufficient historical, research, or informational value to warrant permanent preservation. The director of the division of historical museum and archives is the trustee and custodian of the archives of Iowa, except that archives do not include county or municipal archives unless they are voluntarily deposited with the director with the written consent of the director. The director shall prescribe rules for the systematic arrangement of archives as to the proper labeling to indicate the contents and order of filing and the archives must be so labeled before the archives may be transferred to the director's custody.

Sec. 2. Section three hundred three point thirteen (303.13), Code 1977, is amended to read as follows:

303.13 TRANSFER OF ARCHIVES. The several state executive, and administrative departments, officers or offices, councils, boards, bureaus, and commissions, may transfer and deliver to the state historical department archives as defined in section 303.12, and ~~take the director's receipt as prescribed in the records management manual.~~ Before transferring archives, the office of present custody shall

file with the director a classified list of the archives being transferred made in such detail as the director shall prescribe. If the director, on receipt of the list, and after consultation with the chief executive of the office filing the classified list or with a representative designated by the executive, shall find that, according to the records management manual, certain classifications of the archives listed are not of sufficient historical, legal or administrative value to justify permanent preservation, the director shall ~~file a list with the state records commission with recommendations for their disposal not accept the material for deposit in the state archives.~~

Sec. 3. Section three hundred three point fourteen (303.14), Code 1977, is amended to read as follows:

303.14 REMOVAL OF ORIGINAL. After any archives have been received by the director, they shall not be removed from his the director's custody without his consent except in obedience to a subpoena of a court of record or a written order of the state executive council.

~~The director shall annually submit to the state historical department a list of papers and documents which have no further value, and upon approval of the state records commission the items shall be destroyed.~~

The director shall not be required to preserve permanently vouchers, claims, canceled or redeemed state warrants, or duplicate warrant registers, respectively, of the state controller and the treasurer of state but may, after microfilming, destroy by burning or shredding any such warrants, having no historical value, that have been in his the director's custody for a period of three years one year and likewise to destroy by burning or shredding any vouchers, claims and duplicate warrant registers which have been in his the director's custody for a period of three years one year. A properly authenticated reproduction of any such microfilmed record shall be admissible in evidence in any court in this state.

Sec. 4. Section three hundred four point two (304.2),

subsection two (2), Code 1977, is amended to read as follows:

2. "Agency" means any executive department, office, commission, board or other unit of state government except as otherwise provided by law.

Sec. 5. Section three hundred four point three (304.3), subsection six (6), Code 1977, is amended to read as follows:

6. ~~A member of the general assembly~~ The auditor of state or designee serving as ex-officio nonvoting member appointed by the legislative council.

Sec. 6. Section three hundred four point four (304.4), Code 1977, is amended to read as follows:

304.4 EXPENSES. Members of the commission shall serve without compensation--~~except the members of the general assembly who shall receive a per diem of forty dollars~~ but may receive their actual expenses incurred in the performance of their duties.

Sec. 7. Section three hundred four point six (304.6), Code 1977, is amended to read as follows:

304.6 POWERS. The primary agency responsible for providing administrative personnel and services for the commission shall be the department of general services. The purchase, rental, or lease of equipment and supplies for record storage or preservation by agencies shall be subject to the approval of the commission except as otherwise provided by law. The commission shall review all record storage systems and installations of agencies subject to this chapter and recommend any changes necessary to assure maximum efficiency and economic use of equipment and procedures, including but not necessarily limited to, the type of equipment, methods and procedures for filing and retrieval of records and the location of equipment. The commission shall perform any act necessary and proper to carry out its duties.

Sec. 8. Section three hundred four point ten (304.10), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

304.10 DIRECTOR OF HISTORICAL MUSEUM AND ARCHIVES--DU-

TIES. All lists and schedules submitted to the commission shall be referred to the director of the historical museum and archives, who shall determine whether the records proposed for disposal have value to other agencies of the state or have research or historical value. The director of the historical museum and archives shall submit the lists and schedules with his or her recommendations in writing to the commission and the final disposition of the records shall be according to the orders of the commission.

Sec. 9. Section three hundred four point eleven (304.11), Code 1977, is amended to read as follows:

304.11 TERMINATION OF STATE AGENCY. Upon the termination of any state agency whose functions have not been transferred to another agency, the records of the agency shall be deposited in the state archives disposed of according to the provisions of the state records management manual. ~~The commission shall determine which records are of sufficient legal, historical, administrative, research or fiscal value to warrant their continued preservation--Records that are determined to be of insufficient value to warrant their continued preservation shall be disposed of or destroyed.~~

Sec. 10. This Act is effective January 1, 1978.

ARTHUR A. NEU  
President of the Senate

DALE H. COCHRAN  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 41, Sixty-seventh General Assembly.

ROBERT C. CROSS  
Secretary of the Senate

Approved June 3, 1977 1977

ROBERT U. RAY  
Governor