

**LIBRARIES AND INFORMATION SERVICES DIVISION[286]**

**Adopted and Filed**

**Rule making related to publications depository program**

The Commission of Libraries hereby amends Chapter 3, “Statewide Programs and Agreements,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is adopted under the authority provided in Iowa Code section 256.52(4).

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code sections 256.51(1)“d” and 256.53.

*Purpose and Summary*

Rule 286—3.9(256) describes the State Library’s publications depository program. These amendments remove the requirement for an advisory council, lower the number of copies of state agency publications to be deposited with the State Library, and increase the minimum retention period for depository collections.

*Public Comment and Changes to Rule Making*

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on July 17, 2019, as **ARC 4553C**. No public comments were received. No changes from the Notice have been made.

*Adoption of Rule Making*

This rule making was adopted by the Commission on December 31, 2019.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any, pursuant to 286—Chapter 10.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rule making will become effective on March 4, 2020.

The following rule-making actions are adopted:

ITEM 1. Amend subrule 3.9(2) as follows:

**3.9(2)** *Administration of the depository program.*

*a.* No change.

~~*b.* A nine member advisory council shall be organized to advise the state library regarding this program. The advisory council may be composed of members of state agencies, representatives of depository and nondepository libraries, and the general public. The council shall be appointed by the state librarian with the recommendation of the depository librarian.~~

~~*e. b.* The state library/depository library center shall serve as the last copy depository for predepository state information products and for those products never deposited with the center since its 1979 inception.~~

ITEM 2. Amend paragraph **3.9(3)“a”** as follows:

*a.* Upon issuance of a state publication a state agency shall deposit with the depository library center, at no cost to the center, ~~75~~ ten copies of the publication, or a lesser amount if specified by the center.

ITEM 3. Amend paragraph **3.9(5)“b”** as follows:

*b.* All publications received under this program by the full depository and core depository libraries shall be retained for a minimum period of ~~three~~ six years unless a lesser retention period is designated for an item or items by the depository library center.

[Filed 12/31/19, effective 3/4/20]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 1/29/20.