

section one hundred thirty-four (134), are hereby legalized and validated.

Sec. 7. The general assembly hereby finds and declares that the Sixty-fifth General Assembly in 1974 intended to amend section two hundred ninety-eight point twenty-two (298.22) of the Code to read as it appears in the preceding section of this Act, that the section was so printed in the Code of 1975 and the Code of 1977 and may have been relied upon in good faith by school districts in this state in handling bond issues approved by their respective electorates, but that doubts have arisen as to the validity of the 1974 action purporting to amend section two hundred ninety-eight point twenty-two (298.22) of the Code. All school district bond issues registered with school board secretaries on or after July 1, 1974 in reliance upon section two hundred ninety-eight point twenty-two (298.22) of the Code as amended by Acts of the Sixty-fifth General Assembly, 1974 Session, chapter one thousand one hundred one (1101), section seventy-three (73), are hereby legalized and validated.

Approved May 13, 1977

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CHAPTER 98  
STATE RECORDS MANAGEMENT

S. F. 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 board 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

comptroller and the treasurer of state but may, after micro-filming, 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--DUTIES. 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.

Approved June 3, 1977

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## CHAPTER 99 VACATING HIGHWAYS

S. F. 307

AN ACT relating to vacating and closing highways.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section three hundred six point sixteen (306.16), Code 1977, is amended to read as follows:

306.16 FINAL ORDER. After ~~such~~ the hearing, the agency which instituted ~~such~~ the proceedings and conducted ~~such~~ the hearing, shall enter an order.--~~Said agency may dismiss either~~