

ARTICLE 24:30

STATE LIBRARY

Chapter

- 24:30:01 Public access to State Library.
- 24:30:02 Restrictions on library materials.
- 24:30:03 Regional networking.
- 24:30:04 Funding of public libraries.
- 24:30:05 Funding of special institutions.
- 24:30:06 Documents depository library system Repealed.
- 24:30:07 State publications library distribution program.

CHAPTER 24:30:06

DOCUMENTS DEPOSITORY LIBRARY SYSTEM

(Repealed)

Section

- ~~24:30:06:01 — Standards to be met by depository libraries.~~
- ~~24:30:06:02 — Exceptions to standards.~~
- ~~24:30:06:03 — Additional requirements.~~
- ~~24:30:06:04 — Selection of documents depository libraries.~~
- ~~24:30:06:05 — Termination of contracts.~~
- ~~24:30:06:06 — Termination by contracting library.~~
- ~~24:30:06:07 — Termination by board.~~

~~24:30:06:01. Standards to be met by depository libraries.~~ The following standards shall be met by all libraries applying to the State Library Board for designation as documents depository libraries under the depository library system:

~~(1) The library shall be administered by a librarian who possesses a master's degree in library science from a library school accredited by the American Library Association or have such a librarian on its staff to administer the depository program;~~

~~(2) The library shall be open at least 50 hours a week, including 3 nights and 8 hours on a Saturday or a Sunday or a combination of both in each normal week.~~

~~Source: 1 SDR 71, effective June 1, 1975; 8 SDR 105, effective March 8, 1982; 11 SDR 96, 11 SDR 112, effective July 1, 1985.~~

~~General Authority: SDCL 14-1A-2.~~

~~Law Implemented: SDCL 14-1A-6.~~

~~24:30:06:02. Exceptions to standards.~~ The only exemptions from the standards required by § 24:30:06:01 are the following:

~~(1) National research institutions where deposits of South Dakota state documents may increase the national dissemination of knowledge of the State of South Dakota; and~~

~~(2) State library agencies of this or other states or libraries maintained by this or other states for purposes of collecting and preserving the history of the State of South Dakota.~~

~~Source: 1 SDR 71, effective June 1, 1975; 11 SDR 96, 11 SDR 112, effective July 1, 1985.~~

~~General Authority: SDCL 14-1A-2.~~

~~Law Implemented: SDCL 14-1A-6.~~

~~24:30:06:03. Additional requirements.~~ In addition to meeting the standards of § 24:30:06:01, libraries not exempted by § 24:30:06:02 shall agree to do the following:

~~—— (1) Designate a person by name as administrator of the depository program for the purpose of direct contact with the state publications library distribution center;~~

~~—— (2) Make any depository item available to a citizen of South Dakota requesting the service;~~

~~—— (3) Assure accessibility of state documents to library users through establishment of one or more systems approved by the state publications library distribution center;~~

~~—— (4) Retain all state documents for a minimum of five years with the exception of those publications which are clearly superseded by subsequent editions or which are issued at a later date in cumulated form; and~~

~~—— (5) Allow the state librarian, or a representative, access to the depository program for purposes of evaluation.~~

~~—— **Source:** 1 SDR 71, effective June 1, 1975; 11 SDR 96, 11 SDR 112, effective July 1, 1985.~~

~~—— **General Authority:** SDCL 14-1A-2.~~

~~—— **Law Implemented:** SDCL 14-1A-6.~~

~~—— **24:30:06:04. Selection of documents depository libraries.** The State Library Board shall contract for documents depository libraries from applications received from municipal or county free libraries or state college or state university libraries. The State Library Board may contract with only one library in a planning and development district. The State Library shall be the documents depository library in the planning and development district in which it is located. If two or more libraries in a single planning and development district apply for a documents depository library contract, the library open to the public the greatest number of hours shall be awarded the contract. If competing applications are equal in hours of opening, the library having the greatest number of the population resident in counties touched by the circumference of a circle drawn on a radius of 50 miles from the city in which the library is located shall be awarded the contract. If both conditions above are equal among competing applicants, the municipal or county free library shall be awarded the contract. The State Library Board may allow exceptions to this rule upon a~~

~~finding that a geographical imbalance will result from the application of this rule. Application for the exception may be made by a municipal or county free library board of trustees or by the administration of a state college or state university.~~

~~—— **Source:** 1 SDR 71, effective June 1, 1975; 8 SDR 105, effective March 8, 1982; 11 SDR 96, 11 SDR 112, effective July 1, 1985.~~

~~—— **General Authority:** SDCL 14-1A-2.~~

~~—— **Law Implemented:** SDCL 14-1A-6.~~

~~—— **24:30:06:05. Termination of contracts.** Depository contracts with libraries shall remain in effect until the library ceases to exist, terminates the contract at its own request, or has the contract revoked by the State Library Board.~~

~~—— **Source:** 1 SDR 71, effective June 1, 1975; 8 SDR 105, effective March 8, 1982; 11 SDR 96, 11 SDR 112, effective July 1, 1985.~~

~~—— **General Authority:** SDCL 14-1A-2.~~

~~—— **Law Implemented:** SDCL 14-1A-6.~~

~~—— **24:30:06:06. Termination by contracting library.** A library may terminate its contract by informing the State Library Board in writing at least 30 days before any regularly scheduled quarterly meeting of the board.~~

~~—— **Source:** 1 SDR 71, effective June 1, 1975; 8 SDR 105, effective March 8, 1982; 11 SDR 96, 11 SDR 112, effective July 1, 1985.~~

~~—— **General Authority:** SDCL 14-1A-2.~~

~~—— **Law Implemented:** SDCL 14-1A-6.~~

~~24:30:06:07. Termination by board.~~ The State Library Board may revoke a contract only by using the following procedure:

~~(1) The state librarian shall present a recommendation for revocation of a depository contract based on a visit by the state librarian or the state librarian's appointed representative and written documentation that the library concerned was not meeting the standards or requirements prescribed by §§ 24:30:06:01 and 24:30:06:03. This recommendation may be made at any regular quarterly meeting of the board;~~

~~(2) The State Library Board shall act upon the recommendation of the state librarian by rejecting the recommendation or by appointing a hearing officer as provided in SDCL 1-26-18.1. The State Library Board shall enter the recommendation into its minutes and issue to the library involved notice that a recommendation for revocation of the documents depository contract has been received, that a hearing officer has been appointed, and that a hearing shall be scheduled at a time that is convenient to all parties involved;~~

~~(3) Only after the hearing or forfeiture by the library in question through nonappearance after due notice may the board revoke a depository library contract.~~

~~Source: 1 SDR 71, effective June 1, 1975; 8 SDR 105, effective March 8, 1982; 11 SDR 96, 11 SDR 112, effective July 1, 1985; 15 SDR 89, effective December 21, 1988.~~

~~General Authority: SDCL 14-1A-2.~~

~~Law Implemented: SDCL 14-1A-6.~~

CHAPTER 24:30:07

STATE PUBLICATIONS LIBRARY DISTRIBUTION PROGRAM

Section

24:30:07:01 State publications library distribution program defined.

24:30:07:02 Standards to be met by full depository libraries.

24:30:07:03 Standards to be met by affiliate depository libraries.

24:30:07:04 Selection of depository libraries.

24:30:07:05 Termination of contracts.

24:30:07:06 Notification and availability of publications produced by state agencies.

24:30:07:07 Transition of current documents depository libraries.

24:30:07:01. State publications library distribution program defined. The state publications library distribution program is meant to collect and distribute any state publication as that term is defined in SDCL 14-1A-1(2).

Source:

General Authority: SDCL 14-1-59(2), 14-1A-2.

Law Implemented: SDCL 14-1A-2.

24:30:07:02. Standards to be met by full depository libraries. The State Library Board shall select two libraries to be full depository libraries under the state publications library distribution program. A full depository library must receive one nondigital copy of any state publication available in only nondigital format, and shall agree to educate users about the state publications library distribution program. Libraries designated as full depository libraries shall:

(1) Be administered by a librarian qualified for certification by the State Library or have such a librarian on staff to administer the program;

(2) Designate a person by name as administrator of the program for the purpose of direct contact with staff at the State Library;

(3) Retain and make accessible all state publications obtained through the program, regardless of format, for a minimum of five years with the exception of those publications that are clearly superseded by subsequent editions or that are issued at a later date in cumulated form;

(4) Discard publications received through the program only according to procedures set forth by the State Library;

(5) Allow the state librarian access to the program for purposes of evaluation;

(6) Conduct at least two annual public orientations or workshops that highlight the use of state publications; and

(7) Attend, annually, at least one continuing education opportunity offered by the State Library government publications staff.

Source:

General Authority: SDCL 14-1-59(2), 14-1A-2.

Law Implemented: SDCL 14-1A-2.

24:30:07:03. Standards to be met by affiliate depository libraries. In an effort to increase availability and distribution of state publications, the State Library shall also designate libraries that will be affiliate depository libraries. An affiliate depository library may not receive any non-digital copies of state publications, but shall agree to educate users about the state publications library distribution program. Libraries designated as affiliate depository libraries shall:

(1) Be administered by a librarian qualified for certification by the State Library or have such a librarian on its staff to administer the program;

(2) Designate a person by name as administrator of the program for the purpose of direct contact with staff at the State Library;

(3) Conduct at least one annual public orientation or workshop that highlights the use of state publications; and

(4) Attend, annually, at least one continuing education opportunity offered by the State Library government publications staff.

Source:

General Authority: SDCL 14-1-59(2), 14-1A-2.

Law Implemented: SDCL 14-1A-2.

24:30:07:04. Selection of depository libraries. The State Library Board shall award contracts for full depository libraries from applications received from municipal or county free

libraries or state university libraries that meet the requirements of § 24:30:07:02, based upon evaluation of geographic balance, available space and staff, and other factors affecting public access to the collection. The state librarian shall develop and make known procedures for designating affiliate depository libraries that encourage all libraries in South Dakota to participate in the state publications library distribution program.

Source:

General Authority: SDCL 14-1-59(2), 14-1A-2.

Law Implemented: SDCL 14-1A-2.

24:30:07:05. Termination of contracts. If a contract with a full depository is terminated, the state librarian shall determine procedures for disposition of the state publications collection obtained by that library through the program.

Source:

General Authority: SDCL 14-1-59(2), 14-1A-2.

Law Implemented: SDCL 14-1A-2.

24:30:07:06. Notification and availability of publications produced by state agencies.

Within 90 days of publication, or by December 1, 2012, whichever is later, state agencies shall notify the State Library of any state publications to be included in the state publications library distribution program. State agencies shall supply the State Library with state publications as follows:

- (1) For state publications available only in nondigital format, four copies must be supplied;
- (2) For state publications available in digital and nondigital formats, one digital copy in PDF or other approved format must be supplied along with two nondigital copies; and
- (3) For state publications available in digital format only, one digital copy in PDF or other approved format must be supplied.

The State Library may place on the internet without restriction any items submitted pursuant to this section that are available at no charge from state agencies. For submitted items that are normally available for purchase from the issuing agency, the State Library shall seek permission from the issuing agency before making the items available on the internet.

Source:

General Authority: SDCL 14-1-59(2), 14-1A-2.

Law Implemented: SDCL 14-1A-3.

24:30:07:07. Transition of current documents depository libraries. Libraries previously designated as documents depository libraries under § 24:30:06:04 that do not become full depository libraries under this chapter shall follow procedures developed and made known by the state librarian for disposition of the state publications collections obtained under § 24:30:06:01 to § 24:30:06:07 inclusive.

Source:

General Authority: SDCL 14-1-59(2), 14-1A-2.

Law Implemented: SDCL 14-1A-3.