

CHAPTER 143. STATE DOCUMENT DEPOSITORIES

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| Sec. | |
| 143.1. | Definitions. |
| 143.2. | Purpose. |
| 143.3. | Eligibility for depository collection status. |
| 143.4. | Number of collections. |
| 143.5. | Conditions for designation. |
| 143.6. | Application for depository collection status. |
| 143.7. | Termination of depository collection status. |
| 143.8. | Role of the State Library. |

Authority

The provisions of this Chapter 143 issued under The Library Code (24 P.S. §§ 4101—4503) (Repealed; replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code)), unless otherwise noted.

Source

The provisions of this Chapter 143 adopted April 21, 1972, 2 Pa.B. 721, unless otherwise noted.

§ 143.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Depository collection—A gathering of official Commonwealth publications in a formally organized library organized either for public use under The Library Code (24 P.S. §§ 4101—4503), or for academic use in a state accredited institution of higher education.

Publication—Any printed or otherwise reproduced item prepared for distribution to the public, or used within any state agency as a regulatory instrument, including but not limited to documents, pamphlets, studies, brochures, books, annual reports, codes, regulations, journals, periodicals or magazines printed by or for the Commonwealth, its legislature, its courts, its constitutional offices, or any authority, board, commission, department or other State governmental agency or issued in conjunction with, or under contract with, the Federal government, local units of government, private individuals, institutions or corporations.

(Editor's Note: The Library Code (24 P.S. §§ 4101—4503) was repealed by the act of November 1, 2012 (P.L. 1683, No. 210) and replaced by 24 Pa.C.S. Chapter 93 (relating to Public Library Code).)

§ 143.2. Purpose.

The purpose of establishing depository collections of publications of all of the governmental agencies of this Commonwealth in selected academic and public libraries is to make the publications readily available to the citizens of the Com-

monwealth and to enable the selected libraries to provide information found in the publications to their clientele.

§ 143.3. Eligibility for depository collection status.

(a) *State college and university libraries.* The main library at each state college or university shall be eligible for designation as a depository collection library.

(b) *District library centers.* Each library designated as a district library center pursuant to article II, section 211, of the act of June 14, 1961 (24 P.S. § 4211), shall be eligible for designation as a depository collection library.

(c) *Regional library resource centers.* The four libraries designated as regional library resource centers pursuant to article II, section 209, of act of June 14, 1961 (24 P.S. § 4209), shall be eligible for designation as a depository collection library.

(d) *Libraries of State-related universities and colleges.* The library at each of the universities and colleges in the Commonwealth which receive annual appropriations from the state and are considered “State-related” shall be eligible for designation as a depository collection library.

(e) *U.S. Documents depository libraries.* Any library currently designated by the Superintendent of Documents as a depository for Federal documents shall be eligible for designation as a depository collection library.

(f) *Other academic libraries.* Libraries of other state accredited universities, colleges, junior or community colleges in the Commonwealth shall be eligible for designation as depository collections if the institution’s total student enrollment is over 5,000 or if there are no other libraries designated under subsections (a)—(e) in the county in which the institution is located.

(g) *Other public libraries.* Other public libraries organized under the provisions of act of June 14, 1961 (24 P.S. § 4201 et seq.), and currently eligible to receive state aid pursuant to article III, section 303 of that act shall be eligible for designation as depository collections provided there are no other libraries in that county designated or eligible for designation under subsections (a)—(f), the library is the central library for a system of public libraries, and the library serves as an extensive regional branch reference library for a large system of libraries.

Cross References

This section cited in 22 Pa. Code § 143.5 (relating to conditions for designation).

§ 143.4. Number of collections.

The state Librarian shall designate no more than 100 libraries in the Commonwealth as depository collections.

§ 143.5. Conditions for designation.

In addition to the provisions of § 143.3 (relating to eligibility for depository collection status), the libraries to be designated as depository collections shall agree to the following conditions:

- (1) The publications received under the depository law must be given the same treatment or cataloging as other similar material purchased or given for the regular library collection.
- (2) The depository collection library shall agree to provide free public reference and information service from the Commonwealth publications received as a depository. It shall also agree to house adequately and safely the publications until such time as disposal or return of items is authorized.
- (3) The publications received must be made available for the use of any citizen of the Commonwealth whether or not that individual is a resident of the municipality in which that library is located, a registered user of the library, or an enrolled student in the institution.
- (4) The publications received must be kept in the depository library's collection for at least 5 years except those items for which the State Librarian may authorize a shorter retention period. All publications due for disposal shall first be offered to the State Library for return before disposal is carried out.

Cross References

This section cited in 22 Pa. Code § 143.6 (relating to application for depository collection status).

§ 143.6. Application for depository collection status.

(a) *Automatic designation.* The State Librarian shall grant depository status to all eligible libraries falling within § 143.5(a)—(e) (relating to conditions for designation) after receiving their agreement to the conditions outlined in § 143.5.

(b) *Discretionary designation.* Eligible libraries falling within § 143.5 may be requested by the State Librarian to accept depository status within the given conditions in order to further the aims of the publications depository system for geographical comprehensiveness. Other libraries seeking depository status shall address their request by letter to the State Librarian. Such letters of application shall be signed by the head librarian and the board of trustees in the case of public libraries, or the head librarian and the president of the institution in the case of academic libraries. The State Librarian shall respond to the letter of application within 60 days by granting depository status or by clearly explaining by letter the ineligibility of the library for depository status.

§ 143.7. Termination of depository collection status.

(a) *Voluntary termination.* If a library decides to relinquish its status as a depository collection it shall do so by letter to the State Librarian. The letter must be signed by both the head librarian and the president of the board of trustees in the case of public libraries and the head librarian and the president of the institu-

tion in the case of academic libraries. The State Librarian will arrange to halt the shipment of Commonwealth publications to such libraries and make appropriate mutual arrangement to dispose of any unwanted state publications on deposit with the library.

(b) *Involuntary termination.* If a depository collection library does not comply with the agreed-to conditions, and, after adequate warning, refuses to comply with said conditions, the State Librarian shall terminate depository status and end the shipment of Commonwealth publications to that library. Notice of termination shall be given by a letter explaining the reasons for the termination to the head librarian with a true copy of the letter to either the president of the institution in the case of an academic library or the president of the board of trustees in the case of public library. Return to the Commonwealth of publications on deposit shall be arranged between the State Librarian and the library's head librarian.

§ 143.8. Role of the State Library.

(a) *Receiving publications.* Under sections 201 and 425 of act of June 14, 1961 (24 P.S. §§ 4201 and 4425) the State Library shall receive copies of all publications of all agencies of the Commonwealth for the maintenance of its own collection, for distribution to the depository collections, and for exchange with out-of-State libraries, the number of copies of each publication may be up to, but not exceed 250 copies.

(b) *Listing publications.* The State Library shall publish a periodic listing of Commonwealth publications received for its collection. The list shall be distributed to all public and academic libraries in the Commonwealth.

(c) *Selecting publications.* The State Library will select publications from those received for its own collection and arrange for copies of those selected to be shipped to the depository collections.

(d) *Shipping publications.* In most cases the Bureau of Publications, Department of Property and Supplies, shall be responsible for the shipment and delivery of Commonwealth publications to depository collections. When the availability of a publication becomes known to either the State Library or the Bureau of Publications, Department of Property and Supplies, the State Librarian may designate it as a depository item and request the Bureau of Publications to distribute it to the depository libraries. If the publication is not stocked by the Department of Property and Supplies, the State Library will seek to obtain a sufficient number of copies for its own collection and for distribution to the depository.

[Next page is 153-1.]