

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina Department of Natural and Cultural Resources

RULE CITATION: 07 NCAC 02H .0306 Reproduction Service

**DEADLINE FOR RECEIPT: May 9, 2022**

**PLEASE NOTE:** *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*Page 1, Lines 1-6: Is staff availability the only contingent factor or can the Director deny a request based upon other criteria? If there are no other criteria, consider: "The Library shall reproduce materials in Braille or audio recording at the request of Library patrons contingent upon staff availability to provide this service as determined by the Director of Accessible Books and Library Services." If there are other criteria, the criteria should be stated.*

*Generally to the entire Rule: Does the Library need a rule to provide this service? Is the service required by state or federal law? If it is required, how can you escape providing the service because of the unavailability of staff?*

*Page 1, Line 8, History Note: Ought not G.S.125-11.9 be cited as additional authority? Is G.S. 143B-10 applicable?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

William W. Peaslee  
Commission Counsel

Date submitted to agency: April 27, 2022

07 NCAC 02H .0306 is amended as published in 36:14 NCR 1198 as follows:

**07 NCAC 02H .0306      REPRODUCTION SERVICE**

The Library ~~shall~~may reproduce in Braille or audio recording materials requested by Library patrons for their personal use as approved by the ~~Regional Librarian~~Director based on staff ~~availability and consideration of higher priority work~~availability.

*History Note:      Authority G.S. 125-2; 143B-10;*

*Eff. April 1, 2011;*

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22,*

*2017.2017;*

*Amended Eff. June 1, 2022.*