

MINUTES OF THE MEETING
SENATE STATE ADMINISTRATION COMMITTEE
FEBRUARY 5, 1977

The meeting was called to order by Senator Towe, Chairman, at 8:00 a.m. in Room 410 of the Capitol Building. Committee members present were Senators Towe, Story, Brown, Rasmussen, Roskie, Jergeson, Blaylock, and Devine.

The following bills were discussed: SB 228
SB 265
SB 275

SENATE BILL 228

Senator Warden, District 18, and sponsor of the bill, presented her testimony to the committee (attached #1).

PROPOSERS

Bill Ehreth, Chief, Records Management Bureau, presented his statement in support of the bill to the committee (see attached #2).

Jack Crosser, Director of the Department of Administration, stated records management is the most neglected area of state government. When space is limited, records are destroyed, he said. He added the old liquor warehouse will house the records management if it is established.

Rod Sager, Administrator of the Management Systems Division, spoke in support of the bill.

There being no further proponents and no opponents, the hearing was opened to questions by the committee.

Senator Roskie asked if the bill would require an additional appropriation

Senator Warden and Jack Crosser replied this bill gives legality to the present situation and would require no further appropriation.

Senator asked if the bill meant that all papers of public officials will become property of the state. There will be no more private papers?

Mr. Crosser replied as long as the paper deals with official government business and transactions it will be considered property of the state. He stated there is a bill currently in the House which deals in a detailed manner with the personal papers of elected officials.

There being no further discussion, the hearing was closed.

SENATE BILL 275

Senator McCallum, District 12, sponsor of the bill, stated the bill raises the mileage paid to county commissioners to the level paid to the judiciary.

There were no opponents or proponents to the bill and the hearing was opened to questions by the committee.

Senator Jergeson asked how the judges mileage was set.

Senator Towe replied the judiciary decided their mileage was too low as authorized by the legislature, so the increased it themselves.

There being no further discussion, the hearing was closed.

SENATE BILL 265

Senator Lowe, District 33, stated he had introduced the bill at the request of the Board of Professional Engineers and Land Surveyors. He reviewed the major changes in the bill for the committee. In section 1 the quorum is changed from 3 to 4, section 2 provides for a roster of professional engineers and land surveyors and establishes a 99¢ fee, section 3 establishes two classes of engineers and land surveyors, and the last section, the reciprocity section, is stricken and included in section 3.

There being no proponents or opponents to the bill, the hearing was closed.

SENATE BILL 275

Senator McCallum, District 12, sponsor of the bill, stated the bill was introduced at the request of the county commissioners in his district and simply raises the mileage level to that of the judiciary.

There were no opponents or proponents and the hearing was opened to questions by the committee.

Senator Jergeson asked how the judges mileage is set.

Senator Towe replied the judiciary determined the authorized amount set by the legislature was too low and they therefore increased it.

There being no further discussion, the hearing was closed.

EXECUTIVE SESSION

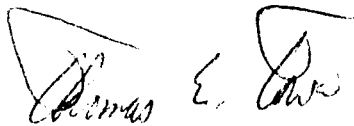
SENATE BILL 275

The committee discussed several amendments and then asked the committee counsel, John Hollow, to reasearch several items for them.

SENATE BILL 265

Senator Roskie moved Senate Bill 265 Do Pass. THE MOTION CARRIED UNANIMOUS WITH SENATOR STORY ABSENT.

There being no further business, the meeting adjourned to reconvene February 7 at 11:00 a.m.

A handwritten signature in dark ink, appearing to read "Thomas E. Towe", is written above a horizontal line.

Thomas E. Towe, Chairman

ROLL CALL

State Administration COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date 2/5/17

[illegible]

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Testimony - Margaret S. Warden, Sen. Dist. 18
Sponsor

HB 238

SUMMARY

RECORDS MANAGEMENT ACT

The proposed Records Management Act is an attempt to organize prior records management legislation into a single act and also provide a framework for future action in managing state records. The original statutes, sections 82-3311, 82-3312 and 82-3313, R.C.M. 1947, gave the Department of Administration the responsibility for the records management function, but failed to specify the methods and procedures to be utilized. It is important that legislation be proposed in order to clearly define the responsibility and scope of the classification, retention, and destruction of all state records.

The Records Management Act will provide a method for controlling the maintenance and disposition of state records in a uniform manner throughout state government. A recent national survey conducted by the Department of Administration found that 47 of the 50 states now operate a formal records management program and are currently providing the services outlined in the Records Management Act. The complexity of state government now requires that all information be contained in an accurate records keeping system. The state records center authorized under the act will provide a systematic method of storing and retrieving information and will also serve as an off-site facility for the security of vital documents. The center will also reduce space requirements for records that must be kept in office

areas and provide rapid records retrieval to state agencies upon request. The act establishes retention and destruction schedules for all state records, and will require all state agencies to periodically review all records necessary for office use.

NAME: John J. Smith DATE: 12/1/71

ADDRESS: 1071 20th Avenue, S.W.

PHONE: 404-252-0000

REPRESENTING WHOM? Dep. of Commerce, etc.

APPEARING ON WHICH PROPOSAL: SE 208

DO YOU: SUPPORT? 4 AMEND? OPPOSE?

COMMENTS: _____



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STATE OF MONTANA
DEPARTMENT OF ADMINISTRATION

THOMAS L. JUDGE
GOVERNOR

Memorandum

TO: Jack Crosser, Director
Department of Administration

FROM: Bill Ehreth, Chief *Bill Ehreth*
Records Management Bureau

DATE: January 24, 1977

SUBJECT: SUMMARY OF RECORDS MANAGEMENT ACT

In response to your request for additional information concerning the Records Management Act, I have separated the legislation into sections and included a description of each one.

Section 1 - Is the short title of the legislation, Records Management Act.

Section 2 - The purpose of the act is to create an effective records management program for executive branch agencies, by establishing guidelines and procedures for the efficient and economical control of the creation, utilization, maintenance, and preservation of State records.

Section 3 - It is necessary to clearly define the term "public records" in order to better understand that all records created during the course of official business are and shall remain the property of the State of Montana.

Section 4 - The Department of Administration's powers and duties concerning records management are:

- 1) Establish guidelines for the managing of public records from their creation to their final disposition.
- 2) Manage the inventorying of all public records within the agency and to manage the records in accordance with established procedures and retention periods.
- 3) Analyze the inventory data and recommend to the Department of Administration and the State Records Committee minimum retention periods.

Jack Crosser, Director
January 24, 1977

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- 4) Approve all records disposal requests which are submitted by the agency to the State Records Committee.
- 5) Review established records retention periods to insure that they are complete and correct.

Section 6 - The act is intended to apply only to the executive branch agencies, but upon request, the Department of Administration will assist and provide services to the legislative and judicial branches.

Section 7 - The State Records Committee is established to insure that public records are disposed of only after a thorough examination of their administrative, legal, fiscal, and historical value. The Committee is composed of representatives of the Department of Administration, the Legislative Auditor, the Attorney General, and the Montana Historical Society.

Section 8 - No public record may be disposed of without the approval of the State Records Committee.

Section 9 - All public records of the executive branch shall, in accordance with approved records retention schedules, be transferred either to the State Records Center or to the custody of the State Archives. Agency records transferred to the Records Center remain the property of the agency; the Department of Administration acts only as custodian and will access agency records only by agency approval. Agency records held in the Records Center must be subpoenaed from the agency to whom the records belong.

Section 10- In order to provide for the continuity and preservation of civil government, each elected and appointed officer of the executive branch shall designate certain public records as essential records needed for an emergency or for the reestablishment of operations following any such emergency. This function shall be carried out with the assistance and approval of the Department of Administration.

I hope that the above comments clearly explain the contents of the proposed records management legislation. If you have further questions, please call me on extension 2716.

NAME: ROD SAGER DATE: 2-5-77

ADDRESS: DEPT. OF ADMINISTRATION

PHONE: 449-3608

REPRESENTING WHOM? DEPT. OF ADMINISTRATION

APPEARING ON WHICH PROPOSAL: SB 228

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

Low

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Senate Chair

PHONE:

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

5B. 265

DO YOU:

CARRY
SUPPORT?

AMEND?

OPPOSE?

COMMENTS: