

**MINUTES**  
**STATE RECORDS COMMISSION**  
**July 22, 2003**

The State Records Commission met on Tuesday, July 22, 2003, at 10:00 a.m. at the Alabama Department of Archives and History. Members present were Ed Bridges, Chairman, representing the Department of Archives and History; Kerry Brown, representing the Department of Revenue; Jeff Jakeman, representing Auburn University; Alyce Robertson, representing the Attorney General; Gail Traylor, representing the Examiner of Public Accounts; and Eliza Marshall, representing the Secretary of State. Also present were Sam Mitchell, representing the Department of Forensic Sciences; Faye Smith, representing Alabama Medicaid Agency; Ann Cosby, representing the Board of Occupational Therapy; Cindy Pitts and Steve Simpson, representing the Department of Rehabilitation Services; Michele Williams and Dana Driscoll, representing the Department of Public Health; Edward Dicks and Daria Storey, representing the State Treasurer's Office; and Randy Estes and Terri Hilyer, representing the Department of Transportation. Other visitors included Sharon Frith of the Secretary of State's Office, Doug Lunsford of the State Personnel Department, and Archives intern Ken Barr.

Government Records staff present included Tracey Berezansky, Richard Wang, Kerry Pond, Becky Lapczynski, Chris Davidson, Tom Turley, Frank Brown, Lyn Frazer, and Corlis Floyd.

Ed Bridges called the meeting to order by summarizing the purpose, responsibility, and composition of the commission and welcomed those present.

A motion to accept the minutes of the April 18, 2003, meeting was made by Kerry Brown and seconded by Alyce Robertson. The minutes were unanimously approved.

**Old Business**

Tracey Berezansky informed the commission that recommendations for actions regarding the Legislative Reference Service–Legislation Project Files, and draft letters (addressing agency records management compliance procedures) would be presented at the October meeting.

**New Business**

- Procedural Leaflet: "Guidance for the Preservation and Transfer of Agency Website Records"  
(copy attached):

A motion to approve the leaflet as presented was made by Jeff Jakeman and seconded by Gail Traylor, and was unanimously approved by the commission.

- Procedural Leaflet: "Making a Case for a Records Management Program" (copy attached):

Dr. Jakeman commented on the value of this leaflet and asked how ADAH planned to make it accessible for agencies. Lyn Frazer, ADAH Local Records Archivist who authored the leaflet, stated that it would be included in all workshop training materials, mailed to agency representatives upon request, and made available on ADAH's website.

A motion to approve the leaflet as presented was made by Dr. Jakeman and seconded by Ms. Robertson, and was unanimously approved by the commission.

- Annual Agency RDA Implementation Summary Report (copy attached):

Staff members provided the commission with a summary report outlining the records management activities of those agencies with RDAs approved in July. Agencies that submitted reports are: Department of Archives and History, Licensing Board for General Contractors, Department of Insurance, Alabama School of Mathematics and Science, Alabama Medicaid Agency, Alabama Board of Medical Examiners/Medical Licensure Commission, Alabama State Board of Occupational Therapy, State/Local Government Records Commissions, Department of Rehabilitation Services, Alabama Alcoholic Beverage Board, Home Builders Licensure Board, Alabama Peace Officers Standards and Training Commission, Board for Registration of Architects, Board of Examiners in Counseling, Criminal Justice Information Center, Department of Public Safety, Alabama Surface Mining Commission, Office of Prosecution Services, Alabama Public Library, Senior Citizens Hall of Fame, Department of Forensic Sciences, Board of Examiners of Landscape Architects, Board of Home Medical Equipment Services Providers, and Alabama Onsite Wastewater Board.

Richard Wang advised the commission that all agencies with annual reports due in July submitted their reports except the Office of Prosecution Services, which has yet to sign and implement their RDA although the commission approved it in 2001. Dr. Jakeman made several comments about agency compliance with RDA requirements and as a result of his comments, Dr. Bridges suggested that the staff have a brainstorming session and present ideas to the commission about how to make the annual reporting process more informative and encourage agencies to do a better job in implementing their RDAs. Ms. Robertson offered to contact the Office of Prosecution Services to encourage their director to sign and begin implementing its approved RDA.

### **Records Disposition Authorities** (Minor Revisions)

In order for representatives of the State Treasurer's Office to attend another scheduled meeting, Dr. Bridges asked the commission to deviate from the agenda order and approve the State Treasurer's revision request first.

Ms. Berezansky gave a brief overview as to the reason the State Treasurer was requesting the commission to revise the time period that paper warrants have to be retained after they are imaged, and pointed out that, after consulting with the Attorney General's office, the Treasurer's legal counsel, and the Department of Finance's legal counsel, the agency's request is allowable under the Uniform Electronic Transaction Act of 2001, which provides legal recognition of

electronic records.

- Office of the Treasurer (copy attached):

A motion to approve the RDA as revised was made by Gail Traylor and seconded by Kerry Brown, and was unanimously approved by the commission.

- Department of Archives and History and Recommended Retention Guidelines for Records Created/Maintained by Friends of the Alabama Archives and the Alabama Archives and History Foundation (copies attached):

A motion to approve the revised ADAH RDA was made by Ms. Robertson and seconded by Dr. Jakeman, and was unanimously approved by the commission.

The commission also endorsed the recommended retention guidelines for records created/maintained by the Friends of the Alabama Archives and the Alabama Archives and History Foundation.

- Department of Public Health (copy attached):

A motion to approve the RDA as revised was made by Dr. Jakeman and seconded by Mr. Brown, and was unanimously approved by the commission.

### **Records Disposition Authorities** (Major Revisions)

- State Board of Education/ Department of Education:

Dr. Jakeman had questions regarding the changing of the retention periods for legal case files and official bonds, and asked if the agency was the owner of case files handled in the private sector and if the attorney-client privilege was recognized in state litigation. Becky Lapczynski responded to their concerns, and Ms. Robertson explained that there is no attorney-client privilege in state litigation.

A motion to approve the RDA as revised was made by Gail Traylor and seconded by Eliza Marshall, and was unanimously approved by the commission.

### **Records Disposition Authorities** (New)

- Alabama Electronic Security Board of Licensure:

Ms. Robertson made a motion to approve the RDA as presented. Dr. Jakeman seconded the motion, and it was unanimously approved.

- Alabama Department of Transportation:

Ms. Lapczynski recognized Mr. Randy Estes and Ms. Terri Hilyer for their valuable contributions in organizing DOT representatives who inventoried records created by DOT and for supporting this project through completion. Mr. Estes, in turn, thanked staff members of the Government Records Division for their hard work and professionalism in assisting DOT in developing its RDA.

Mr. Brown made a motion to approve the RDA as presented. Ms. Traylor seconded the motion, and it was unanimously approved.

- Alabama Department of Transportation (Field Divisions):

Ms. Robertson made a motion to approve the RDA as presented. Dr. Jakeman seconded the motion, and it was unanimously approved.

Dr. Bridges thanked Eliza Marshall who was serving on the commission today as an alternate for Secretary of State Worley.

The next meeting of the State Records Commission was tentatively scheduled for 10:00 a.m., on Thursday, October 23, 2003. For planning purposes, the January meeting of the commission is scheduled for Thursday, January 22, 2004.

The meeting was adjourned at 10:49 a.m.

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Corlis Floyd, Secretary  
State Records Commission

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Edwin C. Bridges, Chairman  
State Records Commission